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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

***Date of decision: 09.09.2025***

+ W.P.(C) 10568/2024 & CM APPL. 43457/2024, CM APPL. 43459/2024, CM APPL. 43461/2024

UNION OF INDIA AND ANOTHER .....Petitioners

Through: Mr.Ruchir Mishrra, Mr.Mukesh  
Kr Tiwari, Ms.Reba Jena  
Mishra, Ms.Poonam Shukla,  
Advs.

versus

OM PRAKASH .....Respondent

Through: In person.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE MADHU JAIN**

**NAVIN CHAWLA, J. (ORAL)**

1. This petition has been filed by the petitioners challenging the Order dated 24.03.2022 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'Tribunal') in O.A. No.3660/2018, titled ***Mr.Om Prakash v. Union of India & Anr.***, allowing the O.A. filed by the respondent herein with the following directions:

*"7. In view of the aforesaid facts and circumstances, the present O.A. is disposed of with the following directions to the respondents:-*

*(i) To release the payment of Rs.2,55,500/- as calculated by them in their reply, if not already released.*

*(ii) To consider the applicant's aforesaid representation dated 06.08.2018 and dispose of the same by passing a reasoned and speaking order.*

*(iii) The respondents shall supply a copy of*



*due and drawn statement with regard to the payment of retiral dues and interest thereon to the applicant.*

*(iv) The aforesaid exercise shall be completed by the respondents as expeditiously as possible and preferably within a period of six weeks of receipt of a copy of this order."*

2. We may note that the above amount of Rs.2,55,500/- was taken by the learned Tribunal from the counter affidavit filed by the petitioners before the learned Tribunal. The petitioners, however, contending that the same was inadvertently given in the counter affidavit, filed a Review Application being R.A. No.133/2023. The same was dismissed by the learned Tribunal *vide* its Order dated 20.09.2023. The said Order is also in challenge before us.

3. We have perused the record and considered the submissions made by the learned counsel for the petitioners and the respondent, who appears in person.

4. In the present case, it is not disputed that the respondent had superannuated from service on 31.12.2015, however, he was facing disciplinary proceedings as on that date and was exonerated in the same on 21.02.2018. On superannuating from the service, the respondent was entitled to receive gratuity of Rs.10 lacs. The only question before the learned Tribunal was the payment of interest on the same. In terms of Rule 68 of Central Civil Services (Pension) Rules, 1972 read with Rule 11 of the General Provident Fund Rules, 1960 (in short, 'GPF Rules'), the respondent was entitled to payment of interest at the GPF rate, from three months from the date of his superannuation. The interest earned by the respondent each year was



to be added to the principal for each subsequent year and then interest was to be calculated for the subsequent year. The petitioners, it appears, have not followed the above principles while calculating the interest.

5. We, therefore, direct the petitioners to recalculate the interest that is payable to the respondent. We further make it clear that any shortfall which has been left after making payment to the respondent, shall also carry interest till the same is paid to the respondent on the same basis, that is, as per GPF rate and in accordance with Rule 68 of Central Civil Services (Pension) Rules, 1972 read with Rule 11 of the GPF Rules, as explained by us hereinabove.

6. The above exercise must be completed by the petitioners within a period of four weeks from today, communicating its calculation to the respondent and making any further payment that is to be made to the respondent in accordance with thereto.

7. The petitioners shall also pay a cost of Rs.25,000/- to the respondent within the same period.

8. In case the respondent is aggrieved of the calculations of the petitioners, it shall be open to the respondent to revive the present petition by moving an appropriate application in that regard.

9. The petition, along with the pending applications, is disposed of in the above terms.

**NAVIN CHAWLA, J**

**MADHU JAIN, J**

**SEPTEMBER 9, 2025/ns/VS**